

# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.: 20010463.CIP  
First Inventor: Scott T. Latterell  
Title: Bipolar Electrosurgical Instrument for  
Cutting Desiccating and Sealing Tissues

Express Mail Label No.: EV 357551128 US

Address to: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## Application Elements:

1. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
2. ☒ Specification Total Pages: 15
3. ☒ Drawings Total Sheets: 9
4. Oath or Declaration Total Pages:
  - a. ☒ Newly executed.
  - b. ☐ Copy from prior application  
(for continuation/divisional with Box 13 completed)
5. ☒ Application Data Sheet.

## Accompanying Application Parts

6. ☒ Assignment Papers (cover sheet & document)
7. ☐ Information Disclosure Statement
8. ☐ Preliminary Amendment
9. ☒ Return Receipt Postcard

22388 U.S. PTO  
10/657378  
09/08/03

10. ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
11. ☒ Certificate of Mailing Via Express Mail
12. ☒ Check in the amount of \$790.00
13. ☒ If a **CONTINUING APPLICATION** (check appropriate box and supply requisite information below and in a preliminary amendment, or in an Application Data Sheets under 37 CFR 1.76):

☐ Continuation ☐ Divisional ☒ Continuation-in-Part

of prior application Serial No.: 10/188,207

Prior application information: Examiner: Group Art Unit: 3839

☒ **Assignee Information for Inclusion on the Patent Application Publication:**

Assignee: Gyrus Medical, Inc.  
Address: 6655 Wedgwood Road, #105  
Maple Grove, MN 55311

#### Method of Payment

☒ Payment enclosed by check to cover the filing and recording fees.

☒ The Commissioner is authorized to charge any fees or refund any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 08-1265 under Deposit Account name of Nikolai & Mersereau, P.A.

#### Correspondence Address:

Customer No.: 23595

Typed Attorney Name: Thomas J. Nikolai  
Attorney Registration No.: 19283  
Telephone Number: 612-339-7461

Signature: 

Date: September 8, 2003.

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 790.00

## Complete if Known

Application Number  
Filing Date  
First Named Inventor Scott T. Latterell  
Examiner Name  
Art Unit  
Attorney Docket No. 20010463.CIP

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

08-1265

Nikolai & Mersereau

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 740	2001 370	Utility filing fee	750.
1002 330	2002 165	Design filing fee	
1003 510	2003 255	Plant filing fee	
1004 740	2004 370	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ )			750.

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 400	2252 200	Extension for reply within second month	
1253 920	2253 460	Extension for reply within third month	
1254 1,440	2254 720	Extension for reply within fourth month	
1255 1,960	2255 980	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,280	2453 640	Petition to revive - unintentional	
1501 1,280	2501 640	Utility issue fee (or reissue)	
1502 460	2502 230	Design issue fee	
1503 620	2503 310	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40.
1809 740	2809 370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 740	2810 370	For each additional invention to be examined (37 CFR 1.129(b))	
1801 740	2801 370	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 40.

## SUBMITTED BY

Name (Print/Type) Thomas J. Nikolai  
Signature *Thomas J. Nikolai*

Registration No. (Attorney/Agent)

19283

Telephone 612-339-7461

Date 09/08/03

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Express Mail No. EV 357551128 US  
Docket No. 29919463.CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re App : Scott T. Latterell, et al.  
: September 8, 2003  
For : Bipolar Electrosurgical Instrument for  
Cutting Desiccating and Sealing Tissues  
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**CERTIFICATE OF MAILING VIA EXPRESS MAIL**

MAIL STOP PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Sir:

I hereby certify that the attached patent application consisting of 10 pages of specification, 3 pages of claims, abstract, 9 sheets of formal patent drawings, 2 pages of an executed Declaration, Power of Attorney, and Petition, 2 pages of an executed Assignment, a utility patent application transmittal, a Recordation Form Cover Sheet, a Patent Application Data Entry Format, a return receipt postcard, and a check in the amount of \$790.00 in payment of the filing and recording fees, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to:

MAIL STOP PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

under Express Mail Post Office to Addressee Label No. EV 357551128 US.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

  
Linda J. Rice

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